

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

Claims 8, 10 and 17 are currently being canceled without prejudice or disclaimer.

Claims 1, 9 and 16 are currently being amended.

No claims are currently being added.

This amendment amends and cancels claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-7, 9 and 11-16 are now pending in this application.

Indication of Allowable Subject Matter:

Applicants appreciate the indication in the Office Action that claims 11-15 are allowed, as well as the indication that claims 4-8, 10 and 17 would be allowed if amended to place those claims in independent form to include the features of their respective base claim and any intervening claims. By way of this amendment and reply, claim 1 has been amended to include the features of "objected to" claim 8 (with minor changes made based on the incorporation of the features of claim 8 into claim 1, which are not believed to change the scope of that claim), and thus claim 1 is now in allowable form due to the indications made in the Office Action with respect to claim 8. Since claims 2-7 depend either directly or indirectly from claim 1, those claims are also now in allowable form. Claim 9 has been amended to include the features of "objected to" claim 10 (with minor changes made based on the incorporation of the features of claim 10 into claim 9, which are not believed to change the scope of that claim), and thus claim 9 is now in allowable form due to the indications made in the Office Action with respect to claim 10. Claim 16 has been amended to include the features of "objected to" claim 17 (with minor changes made based on the incorporation of the features of claim 17 into claim 16, which are not believed to change the scope of that claim), and thus claim 16 is now in allowable form due to the indications made in the Office Action with respect to claim 17.

Non-Consideration of Information Disclosure Statement:

Applicants note with appreciation the inclusion in the Office Action of an initialed copy of the Form PTO SB/08 submitted with an Information Disclosure Statement (IDS) filed on December 8, 2003. However, Applicants also filed an IDS on May 21, 2004, whereby an initialed copy of the Form PTO SB/08 submitted with that IDS was not included with the Office Action. Applicants' respectfully request that such an inclusion be made with the next PTO correspondence to Applicants' representative.

Claim Rejections – Prior Art:

In the Office Action, claims 1-3 were rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent Publication No. 2002/0104492 to Cowans; and claims 9 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 60230526 to Tawara et al. in view of "Introduction to Closed-Loop Control." Due to the incorporation of the features of "objected to" claim 8 into claim 1, due to the incorporation of the features of "objected to" claim 10 into claim 9, and due to the incorporation of the features of "objected to" claim 17 into claim 16, these rejections are now moot.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5414
Facsimile: (202) 672-5399

By Phillip J. Articola

Richard L. Schwaab
Registration No. 25,479

Phillip J. Articola
Registration No. 38,819